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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,236	09/03/2003	Kang Soo Seo	1740-000051/US	4847

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EXAMINER

CHOI, MICHAEL P

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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06/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/653,236	SEO ET AL.	
	Examiner	Art Unit	
	Michael P. Choi	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION***Drawings***

1. The drawings are objected to because **Figure 3** discloses "Playback of Moive & Still" wherein 'Moive' should be changed to 'Movie'. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because it does not contain more than 50 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

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Claims 1-14 define a recording medium embodying functional descriptive material as well as non-functional descriptive material such a data structure, per se. However, the claims do not define a computer-readable medium or memory and is thus non-statutory for that reason. That is, the scope of the presently claimed recording medium can be paper on which a program is written.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 as read "The recording medium of claim 5" is dependent upon itself and is therefore indefinite. For purposes of examination, Examiner concludes that applicant intended to have claim 5 dependent on claim 4 and will examine as such.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ando et al. (US 2001/0046371 A1).

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Regarding Claim 1, Ando et al. (hereinafter Ando) teach a recording medium having a data structure for managing reproduction of a slideshow of still images recorded on the recording medium, comprising:

- a playlist area storing a playlist file (Fig. 1 – audio/video recording area, 121, containing program chains), the playlist file including navigation information (Page 6, Paragraph [0150]) for reproducing (at least Page 3, Paragraph [0080]) still images and audio data together as a slideshow (Figs. 6A, 6B).

Regarding Claim 2, Ando teaches the recording medium of claim 1, wherein the navigation information links the still images and audio data such that presentation of the still images is synchronized with reproduction of the audio data (Fig. 7 – audio tracks associated with a still picture).

Regarding Claim 3, Ando teaches the recording medium of claim 1, wherein the navigation information links the still images and audio data (in at least Fig. 13 – link text with original track) such that reproduction of the audio data occurs independently of presentation of the still images (Figs. 15, S5 and 16, S11).

Regarding Claim 4, Ando teaches the recording medium of claim 1, wherein the navigation information indicates a duration to display each still image (Figs. 6A, 6B) during reproduction of the slideshow (Fig. 43 – duration).

Regarding Claim 5, Ando teaches the recording medium of claim 4, when the duration is one of a finite (Page 23, Paragraphs [0516-0518]) and infinite display time (Page 23, Paragraphs [0519+]).

Regarding Claim 6, Ando teaches the recording medium of claim 5, wherein an infinite display time duration for a still image in the slideshow (Page 23, Paragraphs [0519+]) indicates to display the still

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image until user input instructing a change from the still image is received (Fig. 42 – user defined PGC having a start and a stop; up to cell #4).

Regarding Claim 7, Ando teaches the recording medium of claim 1, wherein the navigation information indicates whether progress of the slideshow from one still image to another still image is controlled by user input (Page 6, Paragraphs [0150+]).

Regarding Claim 8, Ando teaches the recording medium of claim 7, wherein the navigation information provides (Page 5, Paragraph [0104]; Page 6, Paragraph [0150]) information for skipping to one of a next and a previous still image from reproduction of at least one still image when the navigation information indicates (Fig. 10 – various still picture entry points concerning the various cell information having still pictures as grouped in a VOB) that progress of the slideshow from one still image to another still image (Figs. 6A, 6B) is controlled by user input (Page 5, Paragraph [0104] – user defined program chain).

Regarding Claim 9, Ando teaches the recording medium of claim 1, wherein one of a playitem field (Fig. 1 – user defined program chain) and a sub-playitem field (Fig. 1 – cell information) provides at least a portion of the navigation information (Page 5, Paragraph [0104]; Page 6, Paragraph [0150]).

Regarding Claim 10, Ando teaches the recording medium of claim 9, wherein one of a playitem field and a sub-playitem field provides navigation information for the still images (Fig. 10 - and a different one of a playitem field and a sub-playitem field provides navigation information for the audio data (Fig. 1 – having audio track no. 1 with cell information)).

Regarding Claim 11, Ando teaches the recording medium of claim 10, wherein the playlist further includes mark information, and the mark information includes a mark pointing to the still picture (in at least Fig. 10 – still picture entry point).

Regarding Claim 12, Ando teaches the recording medium of claim 9, wherein the playlist further includes mark information, and the mark information includes a mark pointing to the still picture (in at least Fig. 10 – still picture entry point).

Regarding Claim 13, Ando teaches the recording medium of claim 1, wherein the playlist further includes mark information, the mark information includes a mark pointing to the still picture (in at least Fig. 10 – still picture entry point).

Regarding Claim 14, Ando teaches the recording medium of claim 1, further comprising: a data area storing at least a portion of the still images in a first file and audio data in a second file (Fig. 1 – still picture object recording and audio object recording area); and wherein the playlist links the first and second files (in at least Figs. 7, 8, 10).

Regarding Claim 15, Ando teaches a method of reproducing a slideshow, comprising:

- reproducing (at least Page 3, Paragraph [0080]; Page 11, Paragraphs [0214+]) a slideshow of still images and audio (Figs. 6A, 6B) from a recording medium (Fig. 1 – audio/video recording area, 121, containing program chains) based on navigation information (Page 6, Paragraph [0150]) reproduced from a playlist file (at least Page 3, Paragraph [0080]) recorded on the recording medium (Page 11, Paragraphs [0214+]).

Regarding Claim 16, Ando teaches an apparatus for reproducing a slideshow, comprising:

- a driver for driving an optical reproducing device to reproduce data recorded on the recording medium (Fig. 14 – disc drive, 409);
- a controller configured to control the driver to reproduce (Fig. 14 – D-PRO, 410; Page 11, Paragraphs [0216+]) a slideshow of still images and audio data (Figs. 6A, 6B) from a recording medium (Fig. 1 – audio/video recording area, 121, containing program chains) based on

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navigation information (Page 6, Paragraph [0150]) reproduced from a playlist file (at least Page 3, Paragraph [0080]) recorded on the recording medium (Page 11, Paragraphs [0214+]).

Regarding Claim 17, Ando teaches a method of recording a data structure for managing reproduction of a slideshow of still images recorded on the recording medium, comprising:

- recording a playlist file (Page 11, Paragraphs [0214+]) in a playlist area of the recording medium (Fig. 1 – audio/video recording area, 121, containing program chains), the playlist file including navigation information (Page 6, Paragraph [0150]) for reproducing (at least Page 3, Paragraph [0080]) still images and audio data together as a slideshow (Figs. 6A, 6B).

Regarding Claim 18, Ando teaches an apparatus for recording a data structure for managing reproduction of a slideshow of still images recorded on the recording medium, comprising:

- a driver for driving an optical recording device to record data on the recording medium (Fig. 14 – disc drive, 409);
- an encoder for encoding at least multiple reproduction path video data (Fig. 14 – encoder unit, 401); and
- a controller for controlling the driver to record (Fig. 14 – D-PRO, 410; Page 11, Paragraphs [0214+]) a playlist file in the playlist area of a recording medium (Fig. 1 – audio/video recording area, 121, containing program chains), the playlist file including navigation information (Page 6, Paragraph [0150]) for reproducing (at least Page 3, Paragraph [0080]) still images and audio data together as a slideshow (Figs. 6A, 6B).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - US 6,308,005 B1 – Information recording and reproducing method
 - US 6,798,976 B2 – Digital video recording/playback system with entry point processing


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Choi whose telephone number is (571) 272-9594. The examiner can normally be reached on Monday - Friday 8:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MC


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